



PATENT  
Customer No. 22,852  
Attorney Docket No. 08386.0003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Dennis W. WAHR et al. ) Group Art Unit: 3763  
)  
Application No.: 09/845,162 ) Examiner: Unknown  
)  
Filed: May 1, 2001 )  
)  
For: EMBOLI PROTECTION DEVICES )  
AND RELATED METHODS OF USE )

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir: /

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. § 1.97(b)**

RECEIVED  
JUN 24 2002  
TECHNOLOGY CENTER R3700

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "prior art." If the Examiner applies the documents as prior art

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

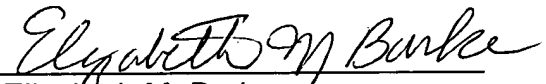
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 21, 2002

By:   
Elizabeth M. Burke  
Reg. No. 38,758

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com